

Militarisation, misogyny and gendered violence in Kashmir

by Samreen Mushtaq

On August 14 this year, a solidarity team comprising four Indian civil society activists held a press conference at the Press Club of India in Delhi to share their findings from Indian-administered Kashmir, which has been under a communications blackout for more than three weeks. Although the activists were permitted to discuss their **findings**, they were disallowed from showing film and photographic evidence from Kashmir. In addition to critiquing a large section of the mainstream Indian media, which has been claiming 'normalcy' in the region, their report more importantly, noted that Kashmiri women were being harassed by armed personnel during house raids following the abrogation of Article 370 of the Indian Constitution. In this post, I argue that producing gendered forms of vulnerability has been characteristic of the militarised Indian state, which has for years subjected Kashmiri women to varied forms of violence as a way of asserting control over Kashmir.



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On August 5, India unilaterally **revoked** Article 370 of the Indian Constitution that granted 'special status' to the former princely state of Jammu and Kashmir and was essentially the constitutionalisation of a contentious relationship. The recent roots of the Kashmir conflict can be traced to 1947 and the state's highly contested accession to the Indian Union. Following a series of military and political confrontations between India and Pakistan over the princely state, the United Nations Security Council resolutions subsequently mandated a 'free and impartial plebiscite' where the region's residents could decide their political future – an exercise that has not taken place till date ([Schofield 2003](#)). Instead, the Indian state added Article 370 as a safeguard to its relationship with Jammu and Kashmir to which 'political intrigue, arrests and electoral machinations became the central motif' ([Zia and Bhat 2019](#)). When in the late 1980s an armed struggle against India's control of Kashmir broke out, the Indian state employed a 'more militarised process' of counter-insurgency and repression ([Junaid 2013](#)). With over **seven hundred thousand** Indian armed personnel stationed in Kashmir and enforcement of emergency laws such as the **Armed Forces Special Powers Act**, there has been a spate of human rights violation such as **torture, sexual violence, enforced disappearances**, among others. Seventy two years after the accession, the recent revocation of Article 370 was preceded by sinister events: Kashmir was put under curfew; all forms of communication including cellular network and internet were snapped with the arrest and detention of political leaders.

One of the consistent critiques of Article 370 from the Indian point of view has been 'gender inequality' in Kashmir. The proponents of its revocation had argued that the Article prevented women of Jammu and Kashmir who married non-residents from holding property in the state. And so, in an era of heralding gender equality, the 'regressive' article had to go with the Indian state becoming the 'savior' of 'oppressed' Kashmiri women. While it is beyond the scope of this post to provide a detailed overview of Article 370, it is notable that in 2002, a High Court ruling stated that Kashmiri women marrying non-residents could own property in the state. While successive governments have tried to oppose this ruling, it never materialised, and at the time of abrogation of Article 370, the court ruling remained valid.

Post its revocation, along with the fact-finding report detailing sexual harassment of women, there have been several misogynistic remarks by the ruling *Bharatiya Janata Party* (BJP) leaders about Indian men now being able to marry 'fair-skinned' Kashmiri women. These discursive practices allow for thinking how control over Kashmir is seen as synonymous with militarised control of Kashmiri women's bodies. Scholar Seema Kazi notes how onwards 1990, rape has been used as a means to dehumanise, humiliate and induce collective fear in the Kashmiri community (2014). Regular frisking at checkpoints, cordon and search, frequent curfews further highlight that Kashmiri bodies become a key site of militarised control over a 'dissident' people. These cordon and search operations have rendered women especially vulnerable and subject to militaristic gaze where even homes have become sites of violence. The current misogynist discourse of controlling Kashmiri bodies, especially women in this sense is an ongoing militarised tactic which renders women increasingly vulnerable in the times of conflict. Examples include mass rapes in Kunan Poshpora, cases of rape in Handwara and Shopian, further reflecting that militarised control and violence often erases the distinction between home and battlefield.

While dominant narratives on Kashmir tend to present women as victims who are caught between the military and militants, it is important to recognise women's agential roles in resisting the everyday militarisation of their lives. For instance, many women across Kashmir have been actively involved with the Association of Parents of Disappeared Persons, an anti-disappearance collective comprising kin of enforced disappeared men and boys. As they assemble on the 10th of every month in the summer capital city of Srinagar, they visiblise and re-member/remember the bodies of their disappeared kin (Zia 2013). Their collective mourning and memorialisation thus become deeply political acts of resistance as they demand accountability and freedom. Currently, as the Indian state bases its decision on 'empowerment', Kashmiri women through their writings, resistance poetry and participation in protest marches have come out to speak for themselves and challenge the militaristic state through their everyday negotiations. But as Nitasha Kaul and Ather Zia remind, 'Can we hear them?'



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